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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Brines et al.

Confirmation No.: 6595

Application No.: 09/716,960

Group Art Unit: 1647

Filed: November 21, 2000

Examiner: DeBerry, Regina M.

For: MODULATION OF EXCITABLE TISSUE
FUNCTION BY PERIPHERALLY ADMINISTERED
ERYTHROPOIETIN

Attorney Docket No.: 10165-009-999

RECEIVED

JUN 21 2002

TECH CENTER 1600/2900

AMENDMENT UNDER 37 C.F.R. § 115 AND
SPECIES ELECTION WITH TRAVERSE

Assistant Commissioner for Patents
Washington, D.C. 20231

SIR:

In response to the Office Action dated May 6, 2002, and pursuant to the Rules of Practice, please consider the amendment and remarks below. Applicants submit concurrently herewith: (1) a Petition to Extend Time (in duplicate) for a period of one month from June 6, 2002 up to and including July 6, 2002, accompanied by the appropriate fee; (2) Exhibit A: a copy of the marked-up version of the claim amendment; and (3) Exhibit B: a copy of the claims that will be pending upon entry of the instant amendment.

IN THE CLAIMS:

Please amend Claim 2 to read as follows:

2. (Amended) The method of Claim 1 wherein said condition is the result of age-related loss of cognitive function, cerebral palsy, neurodegenerative disease, Alzheimer's disease, Parkinson's disease, Leigh disease, AIDS dementia, memory loss, multiple sclerosis, amyotrophic lateral sclerosis, alcoholism, mood disorder, anxiety disorder, attention deficit

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